

ORDERED ACCORDINGLY.



1 **TIFFANY & BOSCO**  
2 P.A.  
3 **2525 EAST CAMELBACK ROAD**  
4 **SUITE 300**  
5 **PHOENIX, ARIZONA 85016**  
6 **TELEPHONE: (602) 255-6000**  
7 **FACSIMILE: (602) 255-0192**

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9  
10 Mark S. Bosco  
11 State Bar No. 010167  
12 Leonard J. McDonald  
13 State Bar No. 014228  
14 Attorneys for Movant

15 11-00076

Dated: February 18, 2011

  
GEORGE B. NIELSEN, JR  
U.S. Bankruptcy Judge

10 **IN THE UNITED STATES BANKRUPTCY COURT**  
11 **FOR THE DISTRICT OF ARIZONA**

12 IN RE:

13 No. 2:10-BK-39145-GBN

14 Stefan I. Singureanu  
15 Debtor.

Chapter 7

16 Bank of America, NA  
17 Movant,  
18 vs.

ORDER

19 Stefan I. Singureanu, Debtor, Lothar Goernitz,  
20 Trustee.

(Related to Docket #19)

21 Respondents.

22 Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed  
23 Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any,  
24 and no objection having been received, and good cause appearing therefore,

25 IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real  
2 property which is the subject of a Deed of Trust dated September 23, 2005 and recorded in the office of  
3 the Orange County Recorder wherein Bank of America, NA is the current beneficiary and Stefan I.  
4 Singureanu has an interest in, further described as:

5 PARCEL 1:

6 Unit 47, in the County of Orange, State of California, consisting of certain airspace and  
7 surface elements, as shown and described in the Condominium Plan ("Plan") for Phase 2 of  
8 Laurelmont recorded September 26, 1985 as Instrument No. 85-475874 of Official  
9 Records of Orange County, California.

10 PARCEL 2:

11 An undivided one forty-first (1/41 st) fee simple interest as a tenant in common in and to all  
12 of the real property, including, without limitation, the Common Areas defined in the  
13 Declaration of Termination of Prior Declaration and Phase 2 Notice of Addition and  
14 Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for  
15 Laurelmont ("Declaration") recorded February 7, 1986 as Instrument No. 86-052926 of  
16 Official Records of Orange County, California, and in the Notice of Annexation and  
17 Addition of Territory and Supplemental Declaration of Covenants, Conditions and  
18 Restrictions for Phase 2 of Laurelmont ("Notice") recorded February 18, 1986 as  
19 Instrument No. 86-065653 and re-recorded March 31, 1986 as Instrument NO.

86-125869, both of Official Records of said County, on Lot 2 of Tract No. 12230, as  
shown on a map recorded in Book 538, pages 23 to 26 of Miscellaneous Maps, records of  
Orange County, California.

EXCEPT THEREFROM, all of the Units as shown on the Plan.

EXCEPT THEREFROM all oil, gas, minerals and hydrocarbons, below a depth of 500 feet,  
without the right of surface entry, as reserved in instruments of record.

PARCEL 3:

Exclusive easements appurtenant to Parcels 1 and 2 described above for front and rear  
yard purposes as shown and assigned in the Notice.

PARCEL 4:

Non-exclusive easements for access, ingress, egress, maintenance, repair, drainage,  
encroachment, support and for other purposes, all as described in the Declaration of  
Covenants, Conditions and Restrictions for Aliso Viejo Community Association  
("Community Declaration") recorded April 6, 1982 as Instrument No. 82-118353 of  
Official Records of Orange County, California.

IT IS FURTHER ORDERED that Movant may contact the Debtor by telephone or written  
correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance  
Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement  
with Debtor. However, Movant may not enforce, or threaten to enforce, any personal liability against  
Debtor if Debtor's personal liability is discharged in this bankruptcy case.

IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter  
to which the Debtor may convert.